

DISCUSSION

In the above-identified Office Action, claims 1-20 have been placed under a restriction requirement under MPEP 803 and 35 U.S.C. 121.

SUMMARY OF THE EXAMINER'S POSITION

Specifically, the Examiner has identified the following inventions:

Species I- illustrated in Figures 1-6;

Species II- illustrated in Figure 7.

The Examiner is taking the position that each of these identified species is patentably distinct, and is requiring restriction to one of the two identified species for prosecution in the application.

Applicant respectfully traverses the restriction requirement in the above-identified Office Action, and requests reconsideration and withdrawal thereof. Applicant respectfully suggests that the claims are drawn to different aspects of a single inventive concept, and should not be subject to restriction.

Further, even if the Examiner remains convinced that the claims are not all drawn to a single inventive concept, applicant respectfully suggests that all of the pending claims are drawn to closely associated inventions.

Moreover, applicant respectfully points out that MPEP section 803 states that

"if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

Applicant respectfully suggests that the examination of the entire application would not place a serious burden on the Examiner. Applicant therefore respectfully requests that the Examiner reconsider the Restriction Requirement, and examine all of the identified species together.

In support of Applicant's position, it is noted that claims 1-3, 6, 9-13 and 16 are believed to be generic to both of the identified species.


Therefore, Applicant requests reconsideration and withdrawal of the Restriction Requirement.

However, notwithstanding the above, and in order to comply with Patent Office requirements, applicant elects, with traverse, the group identified by the Examiner as Species I.

It is applicant's understanding and belief that each of Claims 1-6, 9-16, and 19-20 are drawn to the elected species.

Customer No. 21828
CARRIER, BLACKMAN & ASSOCIATES, P.C.
24101 Novi Road, Suite 100
Novi, Michigan 48375

Respectfully submitted,


William D. Blackman
Registration No. 32,397
(248) 344-4422

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted, via facsimile, to Examining Group 3636 of the United States Patent and Trademark Office on January 6, 2006, at the number (571) 273-8300.

